

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

SENECA IP LICENSING LLC	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 2:17-cv-687-RWS-RSP
v.	)	
	)	
OKI DATA AMERICAS, INC.	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF SENECA IP LICENSING LLC'S OPPOSITION TO  
DEFENDANT OKI DATA AMERICAS, INC.'S  
MOTION TO DISMISS OR TRANSFER THE COMPLAINT FOR IMPROPER VENUE**

On October 6, 2017, Plaintiff Seneca IP Licensing LLC ("Seneca IP") filed a complaint against Defendant Oki Data Americas, Inc. ("ODA") alleging infringement of U.S. Patent No. 7,441,699 (the "'699 patent"). Without first asking Seneca IP if it would consent to transfer this case to the District of Delaware, on December 21, 2017, ODA filed its Motion to Dismiss or Transfer the Complaint for Improper Venue. In support of its Motion, ODA filed a declaration from its "Director, HR & Legal Affairs" dated December 19, 2017 (Dkt. 10-1); this declaration could have been provided to Seneca IP for its consideration prior to ODA's filing its Motion had ODA sought Seneca IP's agreement to transfer the case to the District of Delaware. But, instead of learning whether Seneca IP would consent to transfer the case, ODA decided to have the Court and parties spend resources on motion practice.

Having reviewed the declaration (Dkt. 10-1), Seneca IP does not oppose transferring this case to the District of Delaware. Seneca IP does, however, oppose dismissing this case and requests the Court transfer it to the District of Delaware, where, as ODA admits, this case could have been brought. (Dkt. 10 at 4 ("[T]he Court should transfer this case to the District of

Delaware, where it could originally have been brought.".)

Dated: January 2, 2018

Respectfully submitted,

/s/ Richard C. Weinblatt

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*Seneca IP Licensing, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 2, 2018, I electronically filed the above document(s) with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

/s/ Richard C. Weinblatt

Richard C. Weinblatt